

STATE OF MICHIGAN
CIRCUIT COURT FOR THE COUNTY OF MACOMB

In re Assignment of Cases

Administrative Order 2004-2

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I. Family Division Cases

(A) Juvenile offenses, abuse and neglect, adoption, and parental consent cases, shall be filed at the Juvenile Division facility and assigned to the Family Division judge designated to handle juvenile matters, except:

(1) If a domestic relations matter involving the same family is pending in the Family Division and is assigned to a judge not designated to handle juvenile matters, the new juvenile matter shall be assigned to that judge.

(B) All other new Family Division cases, including name changes, shall be filed at the Circuit Court facility and shall be assigned by lot among the Family Division judges who are not designated to handle juvenile matters; except:

(1) If a juvenile case is pending involving the same family, the new domestic relations matter shall be assigned to the judge assigned to the pending juvenile case.

(2) Personal protection order actions involving stalking, case suffix 'PH,' shall be assigned by blind draw to the judges of the Civil/Criminal Division who are assigned civil cases.

(C) "Family" for purposes of this order includes individuals who are related as husband or wife, parent, step-parent, guardian, child or sibling. An action may still be deemed to involve a "family" although an unrelated individual is involved as a complainant or a party.

II. Civil Cases

All new civil cases shall be assigned by lot among the Circuit judges who are not serving in the Family Division.

II. Criminal Cases

(A) All new criminal cases shall be assigned by lot among the Circuit judges who are not serving in the Family Division.

(B) If a juvenile or domestic relations matter is pending involving that same family or a new civil or criminal action arises from the relationship of parties involved in a juvenile or domestic relations matter, so far as is practical, the civil or criminal case shall be assigned to the Family Division judge assigned to the juvenile or domestic relations matter.

(C) The Presiding Judge of the Family Division, or the Chief Judge, shall determine whether to assign a civil or criminal case to a Family Division judge under this section to further the concept of one judge/one family.

(D) In the event a defendant in a criminal case is admitted in the Macomb County Circuit Court Adult Felony Drug Court, the case shall be automatically reassigned to the Drug Court judge that admitted the defendant. Requests for admission to Drug Court shall be equalized among the Drug Court judges.

III. Miscellaneous Matters

Miscellaneous matters, including, but not limited to, group proceedings for admission to the State Bar of Michigan, ex parte freeze orders, writs which are not related to a particular case, warrants prior to cases being bound over, and show cause proceedings against jurors which are not related to a particular case shall be assigned to the Chief Judge.

IV. Chief Judge

Pursuant to MCR 8.111(B), the Chief Judge may receive fewer assignments in order to perform the duties of chief judge.

V. Repeal of Administrative Order 2003-6

Administrative Order 2003-6 is REPEALED.

V. Effective Date

This order shall take effect on _____.

Peter J. Maceroni
Chief Judge

Dated: